

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TENNESSEE**

<p>FUSION ELITE ALL STARS, <i>et al.</i>,</p> <p style="text-align: center;">Plaintiffs,</p> <p style="text-align: center;">v.</p> <p>Varsity Brands, LLC, <i>et al.</i>,</p> <p style="text-align: center;">Defendants.</p>	<p>Case No. 2:20-cv-02600-SHL-tmp <b>Jury Trial Demanded</b></p>
<p>AMERICAN SPIRIT AND CHEER ESSENTIALS, INC., <i>et al.</i>,</p> <p style="text-align: center;">Plaintiffs,</p> <p style="text-align: center;">v.</p> <p>Varsity Brands, LLC, <i>et al.</i>,</p> <p style="text-align: center;">Defendants.</p>	<p>Case No. 2:20-cv-02782-SHL-tmp <b>Jury Trial Demanded</b></p>
<p>JESSICA JONES, <i>et al.</i>,</p> <p style="text-align: center;">Plaintiffs,</p> <p style="text-align: center;">v.</p> <p>Varsity Brands, LLC; <i>et al.</i>,</p> <p style="text-align: center;">Defendants.</p>	<p>Case No. 2:20-cv-02892-SHL-tmp <b>Jury Trial Demanded</b></p>

**DEFENDANTS' NOTICE OF WITHDRAWAL OF MOTION FOR PROTECTIVE  
ORDER TO RESCHEDULE OR CANCEL LATE NOTICED THIRD PARTY  
DEPOSITIONS**

On April 8, 2022, Defendants filed a Motion and Supporting Memorandum for Protective Order to Reschedule or Cancel Late Noticed Third Party Depositions (the “Motion”). (Dkt. 236.) Defendants requested that this Court order Plaintiffs to depose David Hanbery and Cole Stott on April 15 or 18, 2022, depending on the deponents’ and Plaintiffs’ counsel’s schedules. After this Motion was filed, the parties conferred again and agreed that Mr. Stott’s deposition will take place on April 13, 2022, and that Mr. Hanbery’s deposition will take place on April 18, 2022, provided that each deposition is completed in a single day. (*See* E-mails Regarding Deposition Scheduling, **Exhibit A.**)

Accordingly, Defendants hereby advise the Court that the issue regarding the dates on which Mr. Stott’s and Mr. Hanbery’s deposition will take place has been resolved, and Defendants formally withdraw their Motion. However, Defendants reserve all rights to seek relief from this Court if they are not afforded a reasonable opportunity to question Mr. Stott or Mr. Hanbery on the agreed dates of April 13, 2022, and April 18, 2022, respectively.

Dated: April 11, 2022

Respectfully submitted,

s/ Andrew Roach

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on this 11th day of April, 2022, the foregoing was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system and/or via U.S. Mail, postage prepaid, to all parties indicated on the electronic filing receipt. Parties may access this filing through the Court's electronic filing system.

s/ Andrew Roach

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Andrew Roach